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8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**  
10

11 TIMOTHY GANTT,

12 *Plaintiff,*

13 vs.

14 COUNTY OF LOS ANGELES, CITY  
15 OF LOS ANGELES, RICK LANE,  
16 #116702, JOSE L. REYES #21778,  
17 AL GONZALES #15614, LT. LOUIS  
18 TROVATO, WILLIE WILLIAMS,  
19 EDWARD BOYER, STERLING  
20 NORRIS, AND DOES 1-10,  
21 INCLUSIVE,

22 *Defendants.*

23 MICHAEL SMITH,

24 *Plaintiff,*

25 vs.

26 CITY OF LOS ANGELES, RICK  
27 LANE, #116702, JOSE L. REYES  
28 #21778, AL GONZALES #15614,  
LT. LOUIS TROVATO, WILLIE  
WILLIAMS, AND DOES 1-10,  
INCLUSIVE,

*Defendants.*

CASE NO.: CV08-05979 ODW (CW<sub>x</sub>)

Hon. Otis D. Wright, II, Trial Judge, Ctrm. 11

Hon. Carla M. Woehrle, Mag. Judge, Ctrm. 640, Roybal

Consolidated with:

**CV09-08565 ODW (CW<sub>x</sub>)**

**JUDGMENT IN FAVOR OF CITY  
DEFENDANTS AFTER TRIAL BY  
JURY AS TO PLAINTIFF MICHAEL  
SMITH**

1 This action came on regularly for trial on November 9, 2010, in Courtroom "11"  
 2 of the United States District Court for the Central District of California before the  
 3 Honorable Otis D. Wright, II, Trial Judge. Plaintiffs Timothy Gantt and Michael Smith  
 4 were represented by Chijioke O. Ikonte and Emmanuel C. Akudinobi. The Defendants,  
 5 City of Los Angeles, Louis Trovato, Jose L. Reyes, Rick Lane, and Al Gonzales, were  
 6 represented by Deputy City Attorney Surekha A. Pessis and Deputy City Attorney Geoff  
 7 Plowden.

8 A jury of twelve (12) persons were regularly empaneled and sworn. Witnesses  
 9 were sworn and testified and documentary evidence was introduced and admitted into  
 10 evidence. After hearing the evidence and arguments of counsel, the jury was duly  
 11 instructed by the Court and the cause was submitted to the jury with directions to return  
 12 a verdict on the issues if, after proper deliberations, they could do so. The jury  
 13 deliberated and thereafter returned to the court with their unanimous verdict as follows,  
 14 to-wit:

### 15 **JURY VERDICT**

16  
 17 "TITLE OF COURT AND CAUSE"

18 "WE, THE JURY, in the above-entitled action, unanimously find on the questions  
 19 presented as follows:

### 20 **MALICIOUS PROSECUTION**

21  
 22 **QUESTION NO. 1:** Did any of the defendants subject plaintiff Michael Smith to  
 23 malicious prosecution?

24  
 25 YES \_\_\_\_\_ NO ✗

26  
 27 *If you answered "yes", please proceed to Question No. 2.*

28 *If you answered "no", please proceed to Question No. 4.*

**QUESTION NO. 2:**

Please place a check mark next to the name of each defendant who caused Michael Smith to be maliciously prosecuted.

Rick Lane \_\_\_\_\_

Jose Reyes \_\_\_\_\_

*Please proceed to Question No. 3.*

**QUESTION NO. 3:**

Was the defendant's conduct as found by you in Question No. 1 a substantial factor in causing injury to Michael Smith?

Rick Lane YES \_\_\_\_\_ NO \_\_\_\_\_

Jose Reyes YES \_\_\_\_\_ NO \_\_\_\_\_

*Please proceed to Question No. 4.*

**QUESTION NO. 4:**

Did any of the defendants subject plaintiff Timothy Gantt to malicious prosecution?

YES \_\_\_\_\_ NO ☒ \_\_\_\_\_

*If you answered "yes", please proceed to Question No. 5.*

*If you answered "no", please proceed to Question No. 7.*

**QUESTION NO. 5:**

Please place a check mark next to the name of each defendant who caused Timothy Gantt to be maliciously prosecuted.

Rick Lane \_\_\_\_\_

Jose Reyes \_\_\_\_\_

*Please proceed to Question No. 6.*

**QUESTION NO. 6:**

Was the defendant's conduct as found by you in Question No. 4 a substantial factor in causing injury to Timothy Gantt?

Rick Lane YES \_\_\_\_\_ NO \_\_\_\_\_

Jose Reyes YES \_\_\_\_\_ NO \_\_\_\_\_

*Please proceed to Question No. 7.*

**QUESTION NO. 7:**

Did any of the defendant's deny plaintiff Michael Smith his due process right to fair trial by use of fabricated evidence?

YES \_\_\_\_\_ NO **✗** \_\_\_\_\_

*If you answered "yes", please proceed to Question No. 8.*

*If you answered "no", please proceed to Question No. 10.*

**QUESTION NO. 8:**

Please place a check mark next to the name of each defendant who caused Michael Smith to be denied of his due process right to a fair trial.

Rick Lane \_\_\_\_\_

Jose Reyes \_\_\_\_\_

*Please proceed to Question No. 9.*

**QUESTION NO. 9:**

Was the defendant's conduct as found by you in Question No. 7 a substantial factor in causing injury to Michael Smith?

Rick Lane YES \_\_\_\_\_ NO \_\_\_\_\_

Jose Reyes YES \_\_\_\_\_ NO \_\_\_\_\_

*Please proceed to Question No. 10.*

**QUESTION NO. 10:**

Did any of the defendant's deny plaintiff Timothy Gantt his due process right to fair trial by use of fabricated evidence?

YES \_\_\_\_\_ NO. ✗

*If you answered "yes", please proceed to Question No. 11.*

*If you answered "no", please proceed to Question No. 13.*

**QUESTION NO. 11:**

Please place a check mark next to the name of each defendant who caused Timothy Gantt to be denied of his due process right to a fair trial.

Rick Lane \_\_\_\_\_

Jose Reyes \_\_\_\_\_

*Please proceed to Question No. 12.*

**QUESTION NO. 12:**

Was the defendant's conduct as found by you in Question No. 10 a substantial factor in causing injury to Timothy Gantt?

Rick Lane YES \_\_\_\_\_ NO \_\_\_\_\_

Jose Reyes YES \_\_\_\_\_ NO \_\_\_\_\_

*Please proceed to Question No. 13.*

**CONSPIRACY**

**QUESTION NO. 13:**

Do you find that defendants Rick Lane and Jose Reyes conspired to violate plaintiff Timothy Gantt's constitutional rights?

YES \_\_\_\_\_ NO **✗** \_\_\_\_\_

*If you answered "yes", please proceed to Question No. 14.*

*If you answered "no", please sign and date the verdict form.*

**QUESTION NO. 14:**

Was the conspiracy a substantial factor in causing harm to

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Timothy Gantt?

YES \_\_\_\_\_ NO \_\_\_\_\_

DATED: November 24, 2010

FOREPERSON OF THE JURY

**JUDGMENT**

**THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:**

1. That judgment be, and hereby is, entered in favor of Defendants City of Los Angeles, Jose Reyes, Rick Lane, Albert Gonzales, Louis Trovato and Willie Williams and against the Plaintiff, Michael Smith;
2. That the Plaintiff Michael Smith shall take nothing;
3. That Defendants City of Los Angeles, Jose Reyes, Rick Lane, Albert Gonzales, Louis Trovato and Willie Williams recover their costs of suit herein.

Dated: December 3, 2010

  
\_\_\_\_\_  
OTIS D. WRIGHT  
United States District Judge